
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

THE STATE OF UTAH, *et al.*,

Plaintiffs,

v.

DEB HAALAND, *et al.*,

Defendants,

and

SOUTHERN UTAH WILDERNESS
ALLIANCE and NATIONAL PARKS
CONSERVATION ASSOCIATION,

Defendant-Intervenors.

No. 4:24-cv-00048-DN-PK

**MOTION TO STAY PROCEEDINGS
FOR 90 DAYS**

**DISTRICT JUDGE DAVID NUFFER
MAGISTRATE JUDGE PAUL KOHLER**

The Court previously stayed this case until January 17, 2025 and ordered the Parties to submit a status report or proposed scheduling order to the Court for further proceedings on or before January 31, 2025.¹ Plaintiffs and Defendants respectfully move the Court to enter a 90-day stay of the proceedings in this case. Defendant-Intervenors take no position on the motion. In support of this request, Plaintiffs and Defendants advise the Court as follows:

1. On October 8, 2024, the Court held a scheduling conference. During the status conference, Plaintiffs communicated to the Court that they plan to amend their complaint based

¹ Doc. No. 33.

on a recent order in *Kane County v. United States*, Case No. 2:10-cv-1073 (D. Utah, August 9, 2024) and a proposed rule the National Park Service published in the Federal Register on September 16, 2024. The proposed rule concerns off-road vehicle use in Glen Canyon National Recreation Area, which is the subject of this case. The final rule published in the Federal Register on January 13, 2025. The Park Service also issued a revised record of decision (“ROD”) for the new rule on January 10, 2025.

2. “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”² Granting a stay “ordinarily lies within the discretion of the district court, and in exercising its judgment the court must weigh competing interests and maintain an even balance.”³

3. Here, Plaintiffs need additional time to assess the new rule and related ROD. The new rule and ROD may affect the scope of this litigation. Therefore, the proposed stay will promote judicial efficiency for the parties and the Court. Further, it will not prejudice any party and will not unduly delay this case.

4. For these reasons, Plaintiffs and Defendants request that this case be stayed for 90 days. Should the Court grant the stay, Plaintiffs and Defendants request that the parties be ordered to submit a status report or proposed scheduling order to the Court on or before the date the stay ends.

² *Kittel v. First Union Mortg. Corp.*, 303 F.3d 1193, 1194–95 (10th Cir. 2002) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)).

³ *Sycamore Fam. LLC v. Earthgrains Baking Companies, Inc.*, No. 2:13-CV-00639-DN, 2015 WL 1520769, at *2 (D. Utah Apr. 3, 2015) (cleaned up).

Respectfully submitted this 30th day of January.

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CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of this filing to all counsel of record.

/s/ Jeffrey N. Candrian
JEFFREY N. CANDRIAN
U.S. Department of Justice